

FILED
JAMES BONINI
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

2010 MAY 12 PM 3:46

UNITED STATES OF AMERICA

v.

STANLEY W. COMBS, III,

Defendant.

) CASE NO. **3:10-cr-0079**
) *Judge Michael Barrett*
) INDICTMENT
) 18 U.S.C. § 1955
) 26 U.S.C. § 7206(2)
) FORFEITURE

THE GRAND JURY CHARGES THAT:

COUNT 1
(Illegal Gambling Business)

1. From on or about January 1, 2004, and continuously thereafter up to and including March 1, 2008, in the Southern District of Ohio, the defendant **STANLEY W. COMBS, III**, together with other persons, both known and unknown to the Grand Jury, did conduct, finance, manage, supervise, direct and own all or part of an illegal gambling business, to wit a gambling business that conducted poker tournaments for profit and as a substantial source of income and livelihood, which gambling business was a violation of the laws of the State of Ohio, to wit, the Ohio Revised Code Annotated, § 2915.02(A)(2) and (4), and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of said illegal gambling business, and which remained in substantially continuous operation for a period in excess of thirty days, and had a gross revenue of \$2,000.00 in any single day.

In violation of 18 U.S.C. § 1955.

COUNT 2

(Making False Statements on an Income Tax Return)

2. That on or about October 16, 2005, in the Southern District of Ohio, the defendant **STANLEY W. COMBS, III**, a resident of Union, Ohio, did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Individual Income Tax Return, Form 1040, of defendant **STANLEY W. COMBS, III** for the calendar year 2004, which was false and fraudulent as to a material matter, in that it represented that said defendant **STANLEY W. COMBS, III** had total gross income of \$17,099 as reflected on Line 22, whereas, as the defendant then and there well knew and believed, he had in fact substantially under reported the gross income he derived as the owner and operator of Fraternal Order of Orioles, Nest 293 located at 842 Watertower Lane, West Carrollton, Ohio.

In violation of 26 U.S.C. § 7206(2).

COUNT 3

(Making False Statements on an Income Tax Return)

3. That on or about May 17, 2006, in the Southern District of Ohio, the defendant **STANLEY W. COMBS, III**, a resident of Union, Ohio, did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Individual Income Tax Return, Form 1040, of defendant **STANLEY W. COMBS, III** for the calendar year 2005, which was false and fraudulent as to a material matter, in that it represented that said defendant **STANLEY W. COMBS, III** had total gross income of \$17,279 as reflected on Line 22, whereas, as the defendant then and there well knew and believed, he had in fact substantially under reported the gross income he derived as the owner and operator of Fraternal Order of Orioles, Nest 293 located at 842 Watertower Lane, West Carrollton, Ohio.

In violation of 26 U.S.C. § 7206(2).

COUNT 4

(Making False Statements on an Income Tax Return)

4. That on or about April 16, 2007, in the Southern District of Ohio, the defendant **STANLEY W. COMBS, III**, a resident of Union, Ohio, did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Individual Income Tax Return, Form 1040, of defendant **STANLEY W. COMBS, III** for the calendar year 2006, which was false and fraudulent as to a material matter, in that it represented that said defendant **STANLEY W. COMBS, III** had total gross income of \$60,247 as reflected on Line 22, whereas, as the defendant then and there well knew and believed, he had in fact substantially under reported the gross income he derived as the owner and operator of Fraternal Order of Orioles, Nest 293 located at 842 Watertower Lane, West Carrollton, Ohio and a related entity located at 10955 Lower Valley Pike, Medway, Ohio.

In violation of 26 U.S.C. § 7206(2).

COUNT 5

(Making False Statements on an Income Tax Return)

5. That on or about December 8, 2008, in the Southern District of Ohio, the defendant **STANLEY W. COMBS, III**, a resident of Brookville, Ohio, did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Individual Income Tax Return, Form 1040, of defendant **STANLEY W. COMBS, III** for the calendar year 2007, which was false and fraudulent as to a material matter, in that it represented that said defendant **STANLEY W. COMBS, III** had total gross income of \$34,095 as reflected on Line 22, whereas, as the defendant then and there well knew and believed, he had in fact substantially under reported the gross income he derived as the owner and operator of Fraternal Order of Orioles,

Nest 293 located at 842 Watertower Lane, West Carrollton, Ohio and a related entity located at 10955 Lower Valley Pike, Medway, Ohio.

In violation of 26 U.S.C. § 7206(2).

FORFEITURE ALLEGATION

Upon conviction of the offense alleged in Count 1 of this Indictment charging the Defendant with an Illegal Gambling Business in violation of 18 U.S.C. §1955, the defendant shall forfeit to the United States pursuant to 18 U.S.C. §981(a)(1)(C) and 28 U.S.C. §2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to said violation; and pursuant to 18 U.S.C. §1955(d) and 28 U.S.C. §2461(c), any property, including money, used in said violation, including but not limited to the following:

1. Approximately \$46,980.10 in United States currency.
2. Approximately \$12,114.25 in United States currency.
3. Approximately \$1,216.00 in United States currency.
4. Approximately \$489.00 in United States currency.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

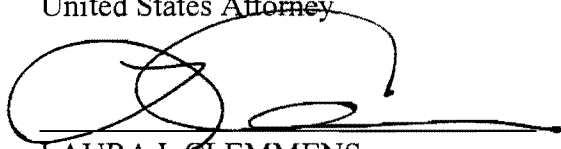
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. §2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A T R U E B I L L

/s/
F O R E M A N

CARTER M. STEWART
United States Attorney


LAURA I. CLEMMENS
Dayton Branch Chief